

## **Amendments to the Claims**

1. (currently amended) An automated banking machine apparatus comprising:

a machine housing;

a controller within the machine housing;

a cash dispenser;

a user interface including a card accepting opening in supporting connection with the machine housing, wherein the apparatus is operative to dispense cash to users responsive to inputs to the user interface;

a card reader in the machine housing adapted to read data encoded on cards moved through the card accepting opening, the card reader including an inlet end adjacent the card accepting opening, and an outlet end disposed within the housing and in an inward direction relative to the card accepting opening and inlet end;

a movable member disposed adjacent the outlet end, wherein when a card is moved from the card reader through the outlet end, the card is operatively engaged with the movable member and is moved in the inward direction away from the card reader, wherein the movable member comprises a resilient portion, and

wherein the resilient portion is operative to cause the card to be moved away from the card reader by being thrown in the inward direction.

2. (original) The apparatus according to claim 1 and further comprising:

a bin in operative connection with the outlet end, wherein the card is moved away from the card reader while positioned within the bin.

3. (currently amended) The apparatus according to claim 2 wherein the movable member is operative to cause the card to be moved away from the card reader by being thrown in the inward direction

An ATM card capture arrangement including:

a card reader, wherein the card reader includes a card inlet end positionable adjacent a card accepting opening in a user interface of an ATM, wherein the card reader includes a card outlet end disposed from the card inlet end, wherein the card reader is adapted to read data from cards,

a resilient card moving member adjacent the outlet end, wherein the moving member is operative to become deformed to cause a card moved through the outlet end to be thrown in a direction away from the card reader during a card capturing operation of the ATM.

4. (currently amended) The arrangement apparatus according to claim 3 wherein the movable member comprises a resilient portion moving member acts as a leaf spring.

5. (currently amended) The apparatus according to claim 1 4 wherein as the card moves from the outlet end the resilient portion is deformed, and after the card is moved from the card reader the deformed resilient portion is operative to cause causes the card to be thrown in the inward direction.

6. (original) The apparatus according to claim 5 wherein the card reader comprises at least one outlet roller adjacent the outlet end, wherein the card is thrown as it moves in the inward direction and disengages the at least one outlet roller.

7. (currently amended) The apparatus according to claim 1 4 wherein the resilient portion acts as a leaf spring.

8. (currently amended) The apparatus according to claim 2 3 wherein the bin comprises a bounding wall, wherein the bin is bounded inwardly by the bounding wall and wherein the card is thrown toward the bounding wall.

9. (original) The apparatus according to claim 8 wherein the bin includes a movable closure member, wherein the closure member is selectively movable between open and closed positions, wherein in the open position of the closure member cards within the bin are accessible so as to be removable therefrom, and in a closed position cards within the bin are not accessible so as to be removable therefrom.

10. (original) The apparatus according to claim 9 wherein the movable closure member is in operative connection with a lock, wherein the movable closure member is enabled to be moved from the closed position to the open position responsive to the lock being in an unlocked condition.

11. (original) The apparatus according to claim 10 wherein the movable closure member comprises a lid.

12. (original) The apparatus according to claim 8 wherein the user interface comprises a fascia portion in supporting connection with the machine housing, and wherein the fascia portion comprises a fascia opening, and further comprising a card housing in operatively supporting connection with the card reader, wherein the card accepting opening extends in the card housing, and wherein in an operative position of the card reader, the card housing extends in the fascia opening.

13. (original) The apparatus according to claim 12 wherein the card housing extends in surrounding relation of the card accepting opening.

14. (original) The apparatus according to claim 13 wherein in the operative position of the card reader, the card housing extends through the fascia opening.

15. (original) The apparatus according to claim 12 and further comprising a mount operatively supporting the card reader in connection with the machine housing, wherein the mount enables the card reader to be moved relative to the fascia portion, whereby the card housing may be moved so as to not extend in the fascia opening.

16. (original) The apparatus according to claim 15 and further comprising a gate in supporting connection with the fascia portion, wherein the gate is adapted to close the fascia opening when the card housing does not extend therein.

17. (original) The apparatus according to claim 16 wherein the gate is movably mounted in supporting connection with the fascia portion, and further comprising at least one cam surface in operative connection with the gate, wherein as the card housing is moved to extend in the fascia opening the card housing operatively engages the at least one cam surface and causes the gate to move relative to the fascia opening.

18. (original) The apparatus according to claim 17 wherein the fascia portion includes an inside face adjacent the fascia opening, and further comprising at least one ramp surface extending in supporting connection with the inside face, wherein the at least one ramp surface is operative to guide the card housing into the fascia opening as the card reader is moved to the operative position.

19. (original) The apparatus according to claim 18 wherein the fascia portion is movably mounted in supporting connection with the machine housing, wherein the fascia portion is movable vertically relative to the machine housing, and wherein the at least one ramp surface is adapted to vertically position the fascia portion by engagement with the card housing.

20. (original) The apparatus according to claim 18 wherein the fascia portion is movably mounted in supporting connection with the housing, wherein the fascia portion is movable horizontally relative to the machine housing, and wherein the at least one ramp surface is adapted to horizontally position the fascia portion by engagement with the card housing.

21. (original) The apparatus according to claim 19 wherein the fascia portion is movably mounted in supporting connection with the machine housing, wherein the fascia portion is movable horizontally relative to the machine housing, and wherein the at least one ramp surface is adapted to horizontally position the fascia portion by engagement with the card housing.

22. (original) The apparatus according to claim 21 wherein the mount comprises at least one slide, wherein the card reader and bin are movably positioned relative to the machine housing in supporting connection with the at least one slide.

23. (original) The apparatus according to claim 22 wherein the card housing comprises at least one illumination device.

24. (original) The apparatus according to claim 23 wherein the fascia portion comprises a recessed pocket, and wherein the fascia opening extends in the recessed pocket.

25. (currently amended) The apparatus according to claim 1 3 wherein the controller is operative to cause the card to be moved in the inward direction from the card reader.

26. (original) The apparatus according to claim 25 wherein the apparatus further comprises a keypad, wherein each user provides at least one input to the keypad corresponding to a card input to the card reader by the respective user, and wherein the controller is operative to cause the card to be moved into the bin responsive to input of at least one input to the keypad not corresponding to the card.

27. (currently amended) A method comprising:

- a) receiving a card from a user of an automated banking machine apparatus including a cash dispenser, into a card reader within the apparatus;
- b) determining through operation of a controller that the apparatus is to retain the card within the apparatus rather than returning it to the user;
- c) engaging the card with a movable member including a resilient portion;

d) throwing the card via the resilient portion in an inward direction away from the card reader into a bin within the apparatus.

28. (currently amended) The method according to claim 27 wherein (c) includes operatively engaging the card with a movable member arrangement according to claim 3 wherein the moving member is operative to become deformed by the card, wherein the moving member is operative to cause the card to be thrown in a direction away from the inlet end.

29. (currently amended) The method according to claim 27 28 wherein the movable member includes a resilient portion; and prior to (d), (e) moving the card in an inward direction through operation of the card reader, wherein movement of the card in the inward direction is operative to deform the resilient portion of the movable member.

30. (currently amended) The method according to claim 29 and subsequent to (d) (e) further comprising:

e) ~~d)~~ opening a closure member bounding the bin; and

~~f)~~ e) removing the card from the bin.

31. (currently amended) The method according to claim 30 and subsequent to ~~(d) (e)~~ and prior to ~~(f) e)~~ further comprising:

unlocking a lock that is operative in a locked condition to hold the closure member in a closed position.

32. (currently amended) The method according to claim 27 30 wherein (a) includes passing the card through a card housing in operatively fixed engagement with the card reader, which card housing extends through a fascia opening in a fascia portion in supporting connection with a machine housing of the apparatus.

33. (original) The method according to claim 32 and prior to (a) further comprising:

moving a gate away from the fascia opening by engagement with the card housing as the card housing is moved toward the fascia housing.

34. (original) The method according to claim 32 and prior to (a) further comprising:

positioning the fascia portion at least one of vertically and horizontally relative to the machine housing by operative engagement of the fascia portion and the card housing as the card housing is moved toward the fascia opening.